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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JAMES EDWARD BODY,)
PETITIONER,)
VS.) CASE NO.2:06-CV-231-MHT
GWENDOLYN MOSLEY, ET.AL.)
RESPONDENT,)

AFFIDAVIT OF PETITIONER IN SUPPORT OF PETITION

before Me the Undersigned Authority in the State of Alabama County of barbour. Personally appeared the petitioner to-wit James Edward Body. Who being first duly sworn, deposes and says:

(1). My name is James Edward Body, I am the petitioner and have personal knowledge of the facts of this case. I am over the age of 21 and am competent to testify to the matters upon which I make this affidavit.

(2). On the 5th day of mar, 2003. I was arrested by the Mobile Sheriff's department based on false claims that I (1). Possessed cocaine. (2). Possessed marijuana (3) Trafficked Marijuana and had possession of two hand guns.

(3). On the 12 day of mar, 2003. I received a notice of parole violation based on these same claims. On the 8th day of apr, 2003, I was taken to a hearing at the Mobile County jail. I had hired an attorney. At my hearing the arresting officer stated that I violated parole by possessing cocaine, marijuana and trafficking marijuana as well as had two hand guns after being forbidden to do so.

(4). I was found guilty of the same by statement which was hearsay. The officer from the sheriff's department testified that he was told by other officers that they found contraband. In My exhibit 1, I submit a copy of the parole violator report. In this report, it do not state anything about a phone call I made to My son. Also it do not state anything about the drugs found such as cocaine, marijuana was taken from or seen placed there by others.

(5). In My exhibit 2, I submit a copy of a lab report stating that the so-called cocaine that was found in My house, tested to be baking soda.

(6).In My exhibit 3, I submit a copy of an affidavit of Deputy Wayne Goolsby, who states under oath that he saw two people in the area where he found illegal drugs and arrested them for the same.No where in the parole violators report do this information appear.In My exhibit 4, I submit the affidavit of Jill Body, who states that the Gun found in the pocket of a jacket belonged to her.She also have a permit for the gun.In My exhibit 5.I submit the affidavit of Michael Tate, who states that the gun found in the house where he also lived, belonged to him.This information was with held by the board.

(7).In MY exhibit 6, I submit the sworn affidavit of Katrina A.warren, who states that after a test was conducted of the alleged white powder found in My house, the substance tested to be baking soda.

(8)In My exhibit 8, I submit the written letter to the alabama board of pardons and paroles by My defense counsel Hon:Donald M.Briskman, who states to the board his interest in seeing that My parole be re-instated due to the false evidence and no criminal conduct on my part being committed.I also submit exhibit 9 the case action summaries of the district court of Mobile county dismissing all cases as no grounds for the arrest.

(9)In My exhibit 10 , I submit a certificate of analysis, which shows that the alleged cocaine found in My house was not a controlled substance.Further the cocains found in the possesison of another person did test positive.In My exhibit 11 I submit an article from the Mobile press, which shows that the officer who testified in My parole hearing was proven to be dirty and all cases he had relating to this situation was dismissed.

(10)In My exhibit 12, I submit the memorandum of the alabama court of criminal appeal which charges the facts of the case and bases its finding on things that are not in the reports,records or anything else in this case.

(11).In view of the facts and evidence in this case.I ask the court to consider the true facts and order a hearing to provide to the petitioner the due process rights he is entitled to as a matter of law.

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I have not violated parole or any condition thereof.

FURTHER SAITH NOT

SWORN TO THIS THE 13 DAY OF JUNE 2006.

James E Body

JAMES EDWARD BODY

Buck Harris

NOTARY PUBLIC

6-7-2010

COMMISSION EXPIRES

CC/JEB